

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ADP-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

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SUBJECT: LOS: MAIN COMMITTEE MEETING AUGUST 22

1. SUMMARY: US REP (STEVENSON) GAVE STATEMENT IN MAIN COMMITTEE (TEXT SENT SEPTEL), COMMENTING ON PREPARATIONS FOR LOS CONFERENCE, INDICATING US SUPPORT FOR PROVISIONAL APPLICATION FOR BOTH DEEP SEABEDS AND FISHERIES ASPECTS OF TREATY, AND STRESSING NEED FOR COMPULSORY DISPUTE SETTLEMENT PROCEDURES. REMAINDER OF SESSION DEVOTED TO STATEMENTS ASSESSING PROGRESS OF PREPARATIONS AND APPROVAL OF SUBCOMMITTEE III REPORT. END SUMMARY.

2. TANZANIA REP STATED PREPARATIONS FOR LOS CONFERENCE HAVE BEEN INADEQUATE AND SOLUTIONS PROPOSED SO FAR TO IMPROVE PREPARATION WOULD NOT SOLVE PROBLEM. HE ASSERTED FAILURE TO AGREE WAS NOT DUE TO LACK OF TIME BUT TO LACK OF WILLINGNESS TO NEGOTIATE. HE OBSERVED THAT AFRICAN GROUP HAD COME TO GENEVA EX- UNCLASSIFIED

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PECTING TO ENTER NEGOTIATIONS. AFRICANS, HE SAID,

HAD TAKEN INTO CONSIDERATION COMMENTS AND CRITICISM MADE BY OTHERS REGARDING AFRICAN LOS POSITIONS, GIVING AS EXAMPLE TERRITORIAL SEA ISSUE. THOSE IN AFRICAN GROUP WHO HAD INTENDED TO EXTEND TERRITORIAL SEA HAD BEEN PREVAILED UPON TO WAIT UNTIL AFTER LOS CONFERENCE. HE STRESSED THE GROUP HAD TAKEN INTERNATIONAL CONCERNS REGARDING STRAITS INTO CONSIDERATION AND HAD LEFT DOOR OPEN FOR NEGOTIATION ON THIS QUESTION. SIMILARLY AFRICANS HAD BEEN FLEXIBLE ON LAND-LOCKED ISSUE. HE COMPLAINED THAT AFRICAN WILLINGNESS TO NEGOTIATE HAD NOT BEEN RECIPROCATED AND THIS HAD CAUSED BITTER DISAPPOINTMENT AND INSTEAD OF RESPONDING TO AFRICAN APPROACHES, AFRICANS HAD BEEN ACCUSED OF ATTEMPTING TO "ZONE LOCK" OTHER STATES AND OF THREATENING FOREIGN INVESTMENTS.

HE EXPRESSED AMAZEMENT AT EFFORT TO DEFEND EXISTING LAW AND REFUSAL TO TAKE INTO CONSIDERATION THE ECONOMIC ZONE. AS A RESULT, AFRICANS FELT CHEATED AND FEARED THEY HAD MADE GREAT MISTAKE IN COMPROMISING THEIR POSITIONS (E.G. STRAITS). HE CONCLUDED BY SAYING HE WOULD NOT RULE OUT THE POSSIBILITY OF CONSULTATIONS IN OTHER FORA BEFORE SANTIAGO.

3. COLOMBIAN REP DESCRIBED CONSENSUS ON "NEW TREND" IN INTERNATIONAL LAW REGARDING ESTABLISHMENT OF PATRIMONIAL SEA OR ECONOMIC ZONE. HE SAID COASTAL STATES SHOULD HAVE SOVEREIGN RIGHTS WITH RESPECT TO EXPLOITATION OF RESOURCES IN ZONE BEYOND TERRITORIAL SEA BUT THIS RIGHT PRESUPPOSES COASTAL STATE OBLIGATIONS TOWARD INTERNATIONAL COMMUNITY, PARTICULARLY IN REGARD TO ENVIRONMENT AND SCIENTIFIC RESEARCH. HE STATED THAT SOME MAJOR POWERS INDICATED WILLINGNESS TO NEGOTIATE IN REGARD TO PATRIMONIAL SEA CONCEPT CITING SPECIFICALLY PRC AND US (AMBASSADOR STEVENSON BY NAME). HE CONTRASTED THIS WITH UNNAMED DEVELOPED COUNTRIES WHICH CLAIMED TO BE REVOLUTIONARY BUT ARE IN FACT MOST CONSERVATIVE ON ISSUE.

4. USSR REP MADE VERY STRONG AND LENGTHY STATEMENT
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SAYING THAT PREPARATIONS FOR CONFERENCE ARE COMPLETELY INADEQUATE. SITUATION, HE SAID, IS MOST UNSATISFACTORY IN REGARD TO ISSUES OF TWELVE-MILE TERRITORIAL SEA, NAVIGATION AND STRAITS, FISHERIES BEYOND TERRITORIAL SEA, AND OUTER BOUNDARY OF CONTINENTAL SHELF. FAILURE ON THESE CANNOT HELP AFFECT CONSIDERATION OF OTHER ISSUES AND WILL HAVE NEGATIVE IMPACT ON POSSIBILITY OF REACHING AGREEMENT ON TREATY

ON SEABEDS. SETTLEMENT OF LATTER ISSUE IS IMPOS-
SIBLE WHILE BOUNDARY QUESTION IS LEFT UNRESOLVED.
SOVIET REP COMPLAINED THAT THERE HAS BEEN NO SERIOUS
DISCUSSION WITH REGARD TO SOVIET FISHING PROPOSAL AND
ARGUED THAT ESTABLISHMENT OF ZONE WOULD NOT INCREASE
FISHING CAPACITY OF DEVELOPING COASTAL STATES. HE
STATED THAT IF THERE WAS TO BE INTERNATIONAL AGREE-
MENT ON THE ECONOMIC ZONE IT WOULD BE NECESSARY TO
TAKE INTO CONSIDERATION INTERNATIONAL COMMUNITY IN-
TERESTS INCLUDING FISHING RIGHTS OF OTHER STATES.
SOVIET DEL SAID HE WAS PREPARED TO DISCUSS THESE
ISSUES INCLUDING ISSUE OF ECONOMIC ZONE. ON STRAITS,
HE SAID, SOVIET PROPOSALS HAD TAKEN INTO CONSIDERATION
VIEWS OF OTHER STATES INCLUDING SECURITY, POLLUTION
CONTROL, OVERFLIGHT INTERESTS OF STRAITS STATES. HE
EXPECTED OTHER COUNTRIES LIKEWISE TO ACCOMMODATE
SOVIET INTERESTS. HE ACKNOWLEDGED THAT STRAITS
PROBLEM MAY REMAIN WITHOUT SOLUTION BUT WARNED THAT
ECONOMIC ZONE MAY DO SO AS WELL. FINALLY HE STRESSED
CONCILIATORY SOVIET ATTITUDE IN REGARD TO SEABED EX-
PLOITATION WHERE SOVIETS ACCEPTED POSITION THAT BOTH
STATES AND INTERNATIONAL ORGANIZATION WOULD HAVE
RIGHT TO EXPLOIT RESOURCES. HE CRITICIZED THAT
GROUP OF COUNTRIES WHICH ADVOCATE GIVING AUTHORITY
EXCLUSIVE RIGHT OF EXPLOITATION. POLAND MADE
SIMILAR INTERVENTION STRESSING THAT PREPARATIONS
HAVE BEEN INADEQUATE.

5. CHAIRMAN MADE CLEAR THAT HE DID NOT WISH TO
ENCOURAGE DEBATE ON ADEQUACY OR INADEQUACY OF
PREPARATIONS FOR CONFERENCE. HE STATED DIFFERENCES
ARE SO GREAT THAT ISSUE MUST BE LEFT TO UNGA TO
DECIDE.
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